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ABSTRACT

The staff of the Michigan Department of Education prepared this paper to place in proper perspective the statutory role of the local school district in enforcing school attendance of children, aged 6 to 16 years, and the statutory responsibility of the State Board of Education for supervising nonpublic schools in Michigan. The paper is designed to answer many questions currently arising not only from within the ranks of school district officials, but also from parents of children attending or planning to attend nonpublic schools. The first section of the bulletin identifies and describes the responsibility of parents and of those public school officials where the parents reside in complying with the provisions of the compulsory school laws of Michigan. The bulletin then identifies and describes briefly the privileges of individuals and groups to establish and operate nonpublic schools for children between the ages of 6 and 16 years. The final part of the report identifies the responsibility of the Superintendent of Public Instruction, as set forth in the provisions of State statutes, to supervise private, denominational, and parochial schools.
(Author/JF)

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Information Concerning Compulsory School Attendance and the Establishment, Operation, and Supervision of Non-Public Schools for Children and Youth Between the Ages of 6 and 16 Years

A POSITION PAPER

EA 005 994

MICHIGAN DEPARTMENT OF EDUCATION DECEMBER, 1971

State Board of Education

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Dr. John W. Porter, *Superintendent of Public Instruction*,
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Foreword

The staff of the Michigan Department of Education has prepared this paper to place in proper perspective the statutory role of the local school district in enforcing school attendance of children, aged 6 to 16 years, and the statutory responsibility of the State Board of Education for supervising non-public schools in Michigan.

The paper has been designed to answer many questions currently arising, not only within the ranks of school district officials, but from parents of children attending or planning to attend non-public schools.

The introduction to this paper describes the general content of the paper and some important areas of emphasis. However, neither this preface nor the main sections of the paper deals with two important issues concerning non-public schools around which questions are also being asked. For this reason, it seems appropriate to state the policy of the State Board of Education in regard to financial aid to non-public schools and the provision of auxiliary services to children attending non-public schools.

In respect to financial aid to non-public schools, the position of the State Board of Education as of this date is that the recent amendment to the 1963 Constitution, as interpreted by the State Supreme Court, prohibits direct aid to non-public schools. On the other hand and in keeping with the said interpretation under the so-called "child benefit theory", the Board holds that auxiliary and other such services may be provided to children enrolled in non-public schools.

On a related issue, the State Board of Education has indicated that it does not deem it appropriate to take a position in respect to a system commonly referred to as a "voucher plan" until such time as the Michigan Supreme Court has clarified its opinion of April 19, 1971. The voucher plan is a system whereby parents would be provided funds for paying tuition and other expenses connected with sending their children to non-public schools. The Board, however, has encouraged public schools to cooperate and, in some instances, contract with private trade schools and other private enterprises for the better delivery of educational services to children, youth, and adults enrolled in the public schools.

As a result of the information contained in this paper, the Superintendent of Public Instruction is requesting henceforth that, every year around August 15, each local school district superintendent undertake a survey to determine that all children and youth between the ages of 6 and 16 are scheduled for enrollment and conduct a survey of the non-public schools in his district to determine whether they have met or they will meet, at the opening of such schools, five conditions that permit a parent of a child attending such schools to comply with the compulsory school laws of the state. He may seek and obtain the assistance of the Michigan Department of Education in evaluating the non-public schools in terms of the said conditions. Regardless of whether he seeks this assistance, he is being asked to report all instances in writing to the Superintendent of Public

Instruction where the non-public school is found to be deficient in terms of meeting the said conditions.

It is hoped that this document will be of assistance to school officials, parents, and the general citizenry about this very important aspect of education in Michigan.

John W. Porter
Superintendent of
Public Instruction

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INTRODUCTION

Part I of this bulletin identifies and describes the responsibility of parents and that of the public school officials of the parents' residency in complying with the provisions of the compulsory school laws of Michigan. The reader will note that the parent has several alternative ways of complying with these laws.

Also, the reader of Part I will note that, contrary to the beliefs of some, it is primarily the responsibility of the local school district and, in some instances, that of the intermediate school district to enforce the provisions of the compulsory school laws of Michigan. The parents of children between the ages of 6 and 16 years must be held accountable, except in certain instances defined by statute, for sending their children to either the public school of the district of their residency or to a non-public school that meets five conditions or standards as defined in the compulsory school laws.

Part II of this bulletin identifies and describes briefly the privileges of individuals and groups to establish and operate non-public schools for providing educational programs to children and youth who are between the ages of 6 and 16 years. The reader of Part II will note, in addition to other information provided, that the operators of such non-public schools which are unincorporated must comply with whatever notices might be given to them by the State Board of Education concerning compliance with the provisions of Act 302 of the Public Acts of 1921 or face dissolution proceedings for the schools.

The readers of Part II will also note that, if the operators of such a non-public school wish to incorporate for certain advantages not enjoyed by an individual, partnership or group, they must meet five briefly described conditions, as formally attested to by the State Board of Education as being

adequate, prior to their filing articles of incorporation and the subsequent operation of such school. Part II also identifies the responsibility of the State Board of Education or its delegated representatives to examine, at least once every three years, each educational corporation in the state. The reader will note, as set forth in Act 327 of the Public Laws of 1931, as amended, that the State Board of Education may take steps to dissolve an educational corporation for not meeting provisions as set forth in that said Act.

Finally, Part III of this bulletin identifies the responsibility of the Superintendent of Public Instruction, as set forth in the provisions of Act 302 of the Public Acts of 1921, to supervise private, denominational, and parochial schools. Here again, the reader will note that the said Act defines the standards to be used by the Superintendent in his supervisory role as well as certain compliances which he may demand of such schools as conditions to their continuing operation.

Part I

RESPONSIBILITIES OF PARENTS, LEGAL GUARDIANS AND PUBLIC SCHOOL OFFICIALS IN COMPLYING WITH THE COMPULSORY SCHOOL LAWS OF MICHIGAN

Parents and legal guardians may comply with the provisions of the compulsory school laws by sending their children aged between six and sixteen years to public schools or to non-public schools which meet certain requirements as specified in the said laws. Parents or legal guardians may also comply with the provisions of the compulsory school laws, under certain conditions, by providing instruction directly to their children in the home. (See Exhibit A for the statutory provisions of the compulsory school laws.)

Compliance by Sending Children to Non-Public Schools

Parents of children of compulsory school age can comply with the compulsory school laws by sending their children to a non-public school provided the non-public school has met the following conditions as determined by the public schools which the children should by law attend:

1 The principal or other person or persons in charge of the non-public school, at the opening of such school and at such other time as the superintendent or intermediate superintendent of schools shall direct, furnishes to the superintendent of schools of the district in which such non-public school is situated or to the intermediate school superintendent, the name, age, and grade of the said children who have enrolled in such school and the number or name of the district and the city or township and county where the parent, guardian, or person in parental relation resides and the name and address of the parent, guardian or other person in parental relation of every such child; and also the name, age and grade of such children who have enrolled in such school and who are not in regular attendance thereat together with the number or name of the district and the

city or township and county where the parent, guardian or person in parental relation resides and the name and address of the parent, guardian or other person in parental relation to such children. (Section 340.738 of the Compiled Laws of 1948.)

2 The non-public school teaches subjects comparable to those taught in the public schools to children of corresponding age and grade as determined by the course of study for the public schools of the district within which the non-public school is located. (Par. (a), Section 340.732 of the Compiled Laws of 1948.)

3 The non-public school employs teachers who hold teaching certificates such as would qualify them to teach in like grades of the public schools of the state. (Section 388.553 of the Compiled Laws of 1948.)

4. The non-public school utilizes buildings (or parts of buildings) which have been found to meet the fire and safety standards of either the local municipality in which such school is located or the standards of the State Fire Marshal in the instance that the school is not located in a municipality. (Section 388.853 of the Compiled Laws of 1948.)

5 The non-public school utilizes physical facilities which meet the sanitary and other health safety requirements of the local health departments having jurisdiction in which such facilities are located except where the approval of such facilities for these conditions is preempted by the Michigan Department of Public Health. (Act 306, P.A. 1927, as amended.)

Compliance by Parental Teaching

A parent or legal guardian may comply with the compulsory school laws if he or she holds a Michigan teacher's certificate and provides comparable

educational instruction to his or her child or children in the home or employs a legally qualified tutor who provides comparable instruction to such child or children in the home and meets the sanitary conditions of the same standard as in the public schools (Attorney General Opinion No. M-576, May 18, 1961.)

Responsibility of Public School Officials

It is the responsibility of the officials of the local school district, or in certain instances as defined in the compulsory school laws that of the intermediate school superintendent, to enforce the compulsory school laws. (See Exhibit A.) This means that these officials must:

1 ascertain whether children, who are residents of their districts, between the ages of 6 and 16 years, are enrolled in and attending some school or, in the alternative being taught at home by their parents or legal guardian,

2 if such children are enrolled in a non-public school, determine whether such non-public school meets the standards described in the foregoing section,

3 if such children are being taught at home by their parents or legal guardian, determine the teaching qualifications of their parents and the subjects taught as stated in the previous section,

4 if such children are not attending a public or a non-public school or being taught by their parents as described, effectuate the proceedings set forth in the compulsory school laws which could lead eventually to a parent's or legal guardian's being found guilty of a misdemeanor by an appropriate court and punished by a fine of not less than $5.00 nor more than $50.00 or imprisoned in the county or city jail for not less than 2 nor more than

90 days or both such fine and imprisonment in the discretion of the court.

Part II

ESTABLISHMENT AND OPERATION OF NON-PUBLIC SCHOOLS OFFERING EDUCATIONAL PROGRAMS TO CHILDREN AND YOUTH WHO ARE BETWEEN THE AGES OF 6 AND 16 YEARS

Except in respect to educational corporations, there are no statutory provisions for the issuance of a license or for the provision of any other type of formal approval to an individual or group as a condition to their establishing an educational program as an alternative to the public school program for children who are between the ages of 6 and 16 years. On the other hand, it should be noted that all buildings housing such programs must meet the state and locally prescribed regulations in respect to health, fire, and safety conditions.

In respect to the operation of such a school by an educational corporation, a group wishing to incorporate for the purpose of establishing and operating such a program must, previous to filing articles of incorporation with the Michigan Department of Treasury as required by law, seek and obtain attestations in writing, from the State Board of Education that the following are adequate in accordance with the provisions of Act 327, P.A. of 1931, as amended: (See Exhibit B.)

(a) the housing space and administration facilities which it possesses or proposes to provide for its declared field or fields of education.

(b) the proposed educational program leading to the diplomas or degrees which it proposes to offer.

(c) the laboratory, library, and other teaching facilities which it possesses or proposes to provide.

(d) the staff, <u>fully</u> trained, for the instruction proposed.

(e) capitalization as prescribed.

To ascertain whether the aforementioned conditions are met by applicants, the State Board of Education requires that a comprehensive report be submitted to it concerning these conditions. An outline of the elements of this report is attached to this bulletin (See Exhibit C). Upon the examination of this report and, in some instances, the report of an on-site examination committee, the Board takes formal action at a regular meeting concerning the adequacy of such conditions.

Act 327, P.A. 1931, as amended, also requires that the State Board of Education, in person or through visitors or inspectors appointed by it, shall visit and inspect each educational corporation at least once every 3 years. (See Sec. 450.177 on p. 4 of Exhibit A). Upon obtaining evidence that the property of an educational corporation is at any time less than is required by law, or that any such corporation is not otherwise complying with the provisions of Act 327, P.A. of 1931, as amended, the Board shall serve notice that such defects must be remedied within some reasonable length of time or the educational corporation shall be subjected to dissolution proceedings.

Part III

RESPONSIBILITY FOR SUPERVISION OF NON-PUBLIC SCHOOLS

State Board of Education

Act 302 of the Public Acts of 1921, being Sections 388.551 - 388.555 of the Compiled Laws of 1948, explicitly provides statutory authority to the Superintendent of Public Instruction and his staff to examine the sanitary conditions, the record of enrollment of pupils, the courses of study, and the qualifications of teachers of private, denominational, and parochial schools. (See Exhibit D). However, since June 30, 1962, and in accordance with the provisions of Sec. 388.1014, the authority of the Superintendent of Public Instruction to supervise non-public schools has been transferred to the State Board of Education.

Within the meaning of the said Act 302, P.A. of 1921, private, denominational, and parochial schools are defined as those schools other than a public school giving instruction to children "below the age of 16 years, in the first 8 grades as provided for in the public schools of the state." Since this Act was enacted prior to the elimination of all references to "grades" in the present compulsory school laws and since the Act has not been amended since 1921, the programs of non-public schools for grades beyond the 8th do not appear to fall within the supervisory jurisdiction of the Superintendent of Public Instruction.

The apparent intent of Act 302, P.A. of 1921, pertaining to the supervision of private, denominational, and parochial schools and as stated in the said Act, is ". . . that the sanitary conditions of such schools, the courses of study therein, and the qualifications of the teachers thereof shall be of the same standard as provided by the general school laws of the state."

Standards

In carrying out this intent, the State Board of Education is guided by the following standards:

In respect to sanitary conditions, these standards are construed to be the same as those required by the municipality in which the school examined is located or those of the Michigan Department of Health in those instances where the latter agency has preemptory responsibilities (NOTE--Legislative statutory enactments other than those of Act 302, P.A. of 1921, pertain to non-public school buildings in respect to fire and safety requirements).

In respect to the courses of study provided in the private, denominational, or parochial school, the basic course of study shall be the same or equivalent to that provided by the public school district in which the said non-public school is located geographically. Specific subject contents, as prescribed by the legislature in the General School Laws, shall be included in the basic course of study of the non-public school. (See Exhibit E). Finally, the educational program of the non-public school provided to children and youths between the ages of 6 and 16 years shall include a minimum of 180 days or 900 hours of instruction in the school year.

In respect to the qualifications of teachers in private, denominational, or parochial schools, these standards are stated explicitly by a sentence in Act 302, P.A. of 1921 which states that "No person shall teach or give instruction in any of the regular or elementary grade studies in any private, denominational or parochial school within the state who does not hold a certificate such as would qualify him or her to teach in like grades of the public schools of the state . . .". Historically, the word "regular" in the quoted sentence has been construed by the Superintendent of Public Instruction to pertain only to those subjects referred to in the foregoing paragraph concerning courses of study.

Non-Compliance with Standards

In respect to non-compliance with standards for sanitary conditions, the person or persons operating such schools, upon being provided a hearing at least 15 days after being given notice of such deficiency by the State Board of Education, must correct such deficiency within 6 months or be subject to an order by the Board for the immediate closing of the said schools.

In respect to non-compliance with courses of study and qualifications of teachers, the person or persons operating such schools, upon being provided a hearing at least 15 days after being given notice by the State Board of Education of deficiencies in these areas, must correct such deficiencies within a reasonable length of time, not to exceed 60 days, or be subject to an order by the Board for immediate closing of the said schools.

In respect to children attending a private, denominational, or parochial school which has received an order for immediate closing by the State Board of Education, Act 302, P.A. of 1921, provides that the parents of such children are immediately subject to the provisions of the compulsory school laws.

CHAPTER 15.

COMPULSORY EDUCATION.

340.731 Compulsory attendance at school. [M.S.A. 15.3731]

Sec. 731. (a) Except as provided in section 732 and subject to the provisions of subsection (b), every parent, guardian or other person in this state, having control and charge of any child between the ages of 6 and 16 years, shall send such child, equipped with the proper textbooks necessary to pursue his school work, to the public schools during the entire school year, and such attendance shall be continuous and consecutive for the school year fixed by the district in which such child is enrolled. In school districts which maintain school during the entire year and in which the school year is divided into quarters, no child shall be compelled to attend the public schools more than 3 quarters in any one year; but a child shall not be absent for any 2 consecutive quarters.

(b) A child becoming 6 years of age before December 1 shall be enrolled on the first school day of the school year in which his sixth birthday occurs. A child becoming 6 years of age on or after December 1 shall be enrolled on the first school day of the school year following the school year in which his sixth birthday occurs.

HISTORY: Am. 1962, p. 178, Act 134, Eff. Mar. 28, 1963.

340.732 Children not required to attend public school. [M.S.A. 15.3732]

Sec. 732. In the following cases, children shall not be required to attend the public schools:

Private, parochial, or denominational school.

(a) Any child who is attending regularly and is being taught in a private, parochial or denominational school which has complied with all the provisions of this act and teaches subjects comparable to those taught in the public schools to children of corresponding age and grade, as determined by the course of study for the public schools of the district within which such private, denominational or parochial school is located;

Page or messenger in legislature.

(b) Any child who is regularly employed as a page or messenger in either branch of the legislature during the period of such employment;

Physical incapacity.

(c) Any child who is physically unable to attend school. If the attendance officer is notified of the nonattendance of any child at school and he shall find the one in parental control claiming that such child is physically unable to attend school, he may require the said person in parental control of said child to secure a written statement of a competent physician, certifying that such child is physically unable to attend school;

Mentally handicapped, emotionally disturbed, or unadjustable children.

(d) Any child whose parent or legal guardian claims that the said child under his jurisdiction is unable to pursue the school work offered by the school district in which he maintains his legal residence because of mental or emotional conditions may be released from school attendance by the county superintendent or superintendent of schools in districts for which the county attendance officer acts, or the superintendent of schools in all other districts: Provided, That such county superintendent or superintendent of schools has obtained a written statement from a psychiatrist or a child center or clinic or other appropriate agency approved by the superintendent of public instruction that the child is incapable of benefiting from public school attendance: Provided further, That a child shall be excused from attending school if such child is determined to be unadjustable under the provisions of Act No. 157 of the Public Acts of 1947, being sections 409.1 to 409.30, inclusive, of the Compiled Laws of 1948;

Children under 9, distance from school; exceptions.

(e) Children under 9 years of age whose parents do not reside within 2½ miles, by the nearest traveled road, of some public school: Provided, That if transportation is furnished for pupils in said district, this exemption shall not apply;

Confirmation classes, attendance.

(f) Any child 12 to 14 years of age while in attendance at confirmation classes conducted for a period of not to exceed 5 months in either of said years; and

Religious instruction classes off public school property.

(g) Any child who is regularly enrolled in the public schools while in attendance at religious instruction classes for not more than two class hours per week, off public school property during public school hours upon written request of the parent, guardian or person in loco parentis in accordance with rules and regulations prescribed by the superintendent of public instruction.

HISTORY: Am. 1964, p. 454, Act 270, Eff. Aug. 28.

340.733 County attendance officer; oath, bond, powers, duties, district attendance officers. [M.S.A. 15.3733]

Sec. 733. The county superintendent of schools in each county shall select a person, or more than one if authorized by the county board of education, of good moral character to act as attendance officer or officers for the county. The person or persons so selected shall file with the county clerk an acceptance and oath of office and a bond in the sum of $1,000.00, with 2 sufficient sureties to be approved by the county clerk. The person or persons so selected shall be known as the county attendance officer or officers, and shall have all the powers of a deputy sheriff, and shall perform the duties of attendance officers in all school districts of the county when directed to do so by the county superintendent of schools, except as hereinafter provided. In school districts having a population of over 3,000, the board shall have authority to appoint 1 or more attendance officers and fix the compensation of the same, said compensation to be paid by the district: Provided, That if in any school district the board does not appoint an attendance officer, the county attendance officers shall act in such district.

340.734 District attendance officers, bonds, powers. [M.S.A. 15.3734]

Sec. 734. The attendance officers appointed by any board shall give bonds to the board in the sum of $500.00, said bonds to be approved by the board and filed with said board, and such officers shall have, within their jurisdiction and while in the performance of the duties of attendance officer, the powers of the deputy sheriff.

340.735 Compensation of attendance officers. [M.S.A. 15.3735]

Sec. 735. The compensation of the county attendance officer shall be determined by the county board of education, and actual expenses and all bills for such service shall be certified by the county superintendent of schools. When the board appoints an attendance officer, said board shall fix the compensation for such attendance officer and pay such officer from the general fund. The compensation and actual expenses of the county attendance officer shall be allowed and paid in the same manner as the compensation of other county officers is allowed and paid by the county.

340.736 Attendance data and report; primary district. [M.S.A. 15.3736]

Sec. 736. It shall be the duty of the secretary of the board in primary districts to provide the teacher, at the commencement of school, with a copy of the last school census, together with the names and addresses of the persons in parental relation, also the address of the county superintendent of schools. The teacher shall, at the opening of school and at such other times as may be necessary, compare such census list with the enrollment of the school and report to the county superintendent of schools the names of the parents or other persons in parental relation whose children of the ages hereinbefore mentioned are not in regular attendance at school; also the names of parents or other persons in parental relation who have children of school age not included in such census and who do not attend school.

340.737 Same; districts other than primary. [M.S.A. 15.3737]

Sec. 737. In all districts except primary districts, the secretary of the board shall, at the commencement of school, furnish a copy of the last school census to the superintendent of schools, or the teacher or teachers if no superintendent is employed, in such districts, together with the name and address of the attendance officer under whose jurisdiction they act, and it shall be the duty of said superintendent, teacher or teachers, at the opening of school, to compare said census list with the enrollment of the school or schools, and from time to time as it may be necessary report to the proper attendance officer the names and addresses of any parents or other persons in parental relation whose children of the ages hereinbefore mentioned are not in regular attendance at the public schools, also names of parents or others in parental relation whose children are not in the school and whose names are not included in such census.

340.738 Same; private, denominational or parochial school. [M.S.A. 15.3738]

Sec. 738. It shall be the duty of the principal, or any other person or persons in charge of every private, denominational or parochial school, at the opening of such schools and at such other time as the superintendent or county superintendent of schools hereinafter mentioned shall direct, to furnish to the superintendent of schools of the district in which such private, denominational or parochial school is situated or to the county school superintendent or superintendent of schools, the name, age and grade of every child who has enrolled at such schools and the number or name of the district and the city or township and county where the parent, guardian or person in parental relation resides and the name and address of the parent, guardian or other person in parental relation of every such child; and also the name, age and grade of every child who has enrolled in such schools and who is not in regular attendance thereat, together with the number or name of the district and the city or township and county where the parent, guardian or person in parental relation resides and the name and address of the parent, guardian or other person in parental relation to every such child.

340.739 Nonattendance; investigation by attendance officer. [M.S.A. 15.3739]

Sec. 739. It shall be the duty of the attendance officer of the district, whenever notified by the teacher, superintendent or other persons of violations of this act, and the county attendance officer, when notified by the county superintendent of schools, to investigate all cases of nonattendance at school, and if the children complained of are not exempt from the provisions of this chapter under the conditions named in section 732, then he shall immediately proceed as provided hereinafter in this chapter.

Notice to parent as to nonattendance, failing work, behavior problem.

When a child has been repeatedly absent from school without valid excuse, or is failing in school work or gives evidence of behavior problems, and after attempts to confer with the parent or other person in parental relationship to such child have failed, the superintendent of schools, or the county superintendent of schools in a district which does not employ a superintendent, may request the attendance officer to notify such parent or other person in parental relationship by registered mail to come to the school or to a place designated by him at a time specified to discuss the child's absence or failing work or behavior problems with the proper school authorities.

Nonattendance of nonresident pupil.

The superintendent, or the teacher in a district which does not employ a superintendent, shall provide information concerning the nonattendance of any nonresident pupil to the county superintendent of schools of the county in which such nonresident pupil resides. It shall be the duty of the county attendance officer, when notified by the county superintendent or superintendent of schools, to investigate and proceed in all cases of nonattendance of nonresident pupils in the same manner as is hereinafter provided in this chapter for enforcing attendance of pupils attending schools in districts in which they reside.

340.740 Violation of act by parents; penalty. [M.S.A. 15.3740]

Sec. 740. In case any person, parent or other person in parental relation shall fail to comply with the provisions of this act, he shall be deemed guilty of a misdemeanor, and shall on conviction thereof be punished by a fine of not less than $5.00 nor more than $50.00, or imprisonment in the county or city jail for not less than 2 nor more than 90 days, or by both such fine and imprisonment in the discretion of the court.

340.741 List of teachers and superintendents in districts not employing attendance officers. [M.S.A. 15.3741]

Sec. 741. It shall be the duty of the county superintendent of schools to furnish the attendance officer of the county, at the opening of the schools, with a list of the teachers and superintendents employed in his county in school districts other than those employing an attendance officer as provided in the preceding sections of this chapter.

340.742 Failure to send child to school; notice to parent and teacher; notice of teacher to attendance officer. [M.S.A. 15.3742]

Sec. 742. In case any parent or other person in parental relation shall fail to send the child or children under his or her control to the public school or other school as herein provided, the attendance officer, upon having notice from proper authority of such fact, shall give formal written notice in person or by registered mail to the parent or other person in parental relation that the child or children under his or her control shall present himself or themselves at the public school, or other school, as hereinbefore provided, on the next regular school day following the receipt of such notice, and that said child or children shall continue in regular and consecutive attendance in school. The attendance officer shall, at the same time the said formal notice is given to the parent or person in parental relation, notify the teacher or county school superintendent or superintendent of schools of the fact of notice, and it shall be the duty of the teacher or superintendent or county superintendent to notify the attendance officer of the failure on the part of the parent or other person in parental relation to comply with said notice.

340.743 Same; complaint against parent, punishment. [M.S.A. 15.3743]

Sec. 743. It shall be the duty of the attendance officer, after having given the formal notice described in section 742 hereof, to determine whether the parent or other person in parental relation has complied with the notice, and in case of failure to so comply he shall make a complaint against said parent or other person in parental relation having the legal charge and control of such child or children before any justice of the peace in the county where such party resides for such refusal or neglect to send such child or children to school; and said justice of the peace shall issue a warrant upon said complaint and shall proceed to hear and determine the same in the same manner as is provided by statute for other cases under his jurisdiction, and in case of conviction of any parent or other person in parental relation for violation of this act, said parent or other person in parental relation shall be punished according to the provisions of section 740 of this act: Provided, That in cities having a municipal or recorder's court and justice of the peace, the attendance officer shall make the aforesaid complaint before the magistrate of said municipal or recorder's court or before a justice of the peace, and said magistrate or justice shall issue a warrant and proceed to hear and determine the case in the same manner as is provided in the statute for other cases under his jurisdiction.

340.744 School personnel, assistance to attendance officer. [M.S.A. 15.3744]

Sec. 744. It shall be the duty of all school officers, superintendents or teachers of other persons to render such assistance and furnish such information as they may have at their command to aid such attendance officer in the performance of his official duty.

340.745 Ungraded schools; establishment. [M.S.A. 15.3745]

Sec. 745. The board of any district except primary districts may establish 1 or more ungraded schools for the instruction of certain children as defined and set forth in the following section. They may, through the attendance officer and superintendents of schools, require such children to attend said ungraded schools or any department of their graded schools as said board of education may direct.

EDUCATIONAL CORPORATIONS

State of Michigan

Extracts From Corporation Code, Act 327, P.A. 1931, as amended, being Sections 450.170 - 450.177, Compiled Laws 1948, being Sections 21.171 - 21.178 of Michigan Statutes Annotated

NOTE--The numbers of the sections in this copy are those of the Michigan Compiled Laws of 1948.

Section 450.170 Educational corporations.

Any number of persons, not less than three, may incorporate for the purpose of conducting a school, academy, seminary, college or other institution of learning where preparatory subjects or the arts, sciences, professions, special occupations and higher learning may be taught. Such corporations are hereinafter called educational corporations. Educational corporations may be organized for profit or by trustee corporations if so provided. Educational corporations organized for profit or as trustee corporations shall also comply with the provisions of this act relating to corporations for profit or trustee corporations, as the case may be. Educational corporations shall be governed by the provisions of this act relating to corporations generally except as specifically otherwise provided and shall be subject to the provisions of Act No. 148 of the Public Acts of 1943, as amended, being sections 395.101 to 395.103 of the Compiled Laws of 1948.

Section 450.171 Same; capital paid in; classification.

For the purposes of this act, educational corporations shall be classified as follows:

(w) Those having a capital of not less than $500,000.00;

(x) Those having a capital of not less than $100,000.00, and less than $500,000.

(y) Those having a capital of $1,000,000.00 or more;

(z) Those instituted and maintained by any ecclesiastical or religious order, society, corporation or corporations, retaining control of such institution for denominational purposes.

Every educational corporation, before being authorized to file its articles, shall be required to present a statement to the Michigan corporation and securities commission in writing from the State Board of Education that (1) the housing space and administration facilities which it possesses or proposes to provide for its declared field or fields of education are adequate, (2) its proposed educational program leading to the diplomas or degrees which it proposes to offer is adequate, (3) its laboratory, library, and other teaching facilities which it possesses or proposes to provide are adequate, (4) it has or proposes to employ an adequate staff, fully trained, for the instruction proposed, and (5) at least 50% of its capital, whether of stock or in gifts, devises, legacies, bequests or other contributions of money or property, has been paid in or reduced to possession.

In determining whether any educational corporation satisfies conditions specified in classes (w), (x), (y) and (z) of this section, the State Board of Education may treat as a credit to the capital of such corporation the guaranteed annual income of that corporation to the extent that it deems such guaranteed income the equivalent of all or any part of the required endowment.

The use of the word college' or university" in the name of any group, organization or associatiation hereafter formed in this state is limited to those educational corporations complying with the requirements for class (w) or class (y) educational corporations or to such educational corporations of class (z) as shall satisfy the requirements set up for class (y) corporations: Provided, however, That the words "junior college" may be used by educational corporations of class (x). Whenever this provision is violated it shall be the duty of the prosecuting attorney, in the county where the organization is located, to bring proceedings to enjoin the further use of such name in violation of this act.

No educational corporation shall be permitted to expand its program beyond that specified in its articles of incorporation until it has presented to the Michigan corporation and securities commission a statement in writing from the State Board of Education approving the facilities, equipment and staff or the proposed facilities, equipment and staff as adequate for the offering of the additional educational program.

Section 450.172 Same· establishment of colleges.

(a) Educational corporations of class (w) as defined in section 171 of this act shall have authority to establish and conduct general colleges for furnishing higher learning and to confer such degrees and honors as shall be approved by the State Board of Education prior to the filing of articles of incorporation· and the term "college" as herein used shall be construed to include any college, university or other institution where the arts, sciences, professions and higher learning are taught and degrees and honors therein conferred. Such colleges may also include preparatory schools as commonly understood·

(b) Educational corporations of class (x), as defined in section 171, shall have authority to establish and conduct junior colleges, seminaries, academies or preparatory schools, as determined and approved by the State Board of Education, but not general colleges or universities as defined in subsection (a) hereof·

(c) Educational corporations of class (z) as defined in said section 171 shall embrace such schools, academies, or colleges as have been heretofore founded under Act 135, Public Acts 1899, known thereunder as "Ursuline academies' those founded under Act 121, Public Acts 1915, and known thereunder as "ecclesiastical seminaries"· those founded under Act 28, Public Acts 1901, and known thereunder as "Evangelical Lutheran deaf mute institutions": those founded under Act 135, Public Acts 1867, known as 'industrial and charitable schools ·

those organized under paragraph (c), subdivision 1, chapter 2, part 4, of Act 84, Public Acts 1921, and such other schools, colleges and institutions of like character and purpose as may be formed under any law of this state for educational purposes shall have all the rights, powers, privileges and immunities enjoyed under its act of incorporation and without regard to the classification made in this act, and upon complying with the provisions hereof shall have such additional rights, powers, privileges and immunities as are conferred hereunder according to the classifications prescribed in this act: Provided further, That any corporation heretofore formed under Act 359, Public Acts 1913, and known thereunder as "kindergarten institutions shall hereafter be classified under class (x) of sections 171 and 172 of this act: Provided further, That any corporation of class (z) hereafter organized under this act may enjoy the privileges provided under classes (w), (x) and (y) of section 171, on condition that it satisfies the requirements set up for corporations of these respective classes.

(d) Educational corporations of class (y) as defined in section 171 shall have authority to establish and conduct colleges or universities of a graduate rank with programs of studies of 5 years or more.

Section 450.173 Same· articles of incorporation, contents; amendment.

The articles of every educational corporation shall clearly set forth the educational system of the institution to be founded and the character of the degrees, honors, diplomas, or certificates which it proposes to grant, and same shall be approved by the State Board of Education prior to the filing of the articles of incorporation. If a college or university, the articles shall state the number and name of the faculties to be established; and if a denominational religious school or college, the name of such denomination and the body supporting or controlling the same. Such articles shall be filed as provided in section 5 of this act. Any such corporation may, by increasing its capital to a higher class and amending its articles, assume the powers and privileges of such higher classification as it may thereby be entitled to as defined in this act.

Section 450.174 Same; acceptance of property.

The directors or trustees of any such educational corporation may accept gifts, devises, legacies or bequests, of personal or real property, or the principal or interest of any money or other fund, in trust for the benefit of such institution or particular faculties, departments or other special purposes thereof· and such trustees or directors shall hold and dispose of such trust funds in accordance with the directions and wishes of any of the donors in each case, and shall account for all such funds and property in such manner and at such times as may be appointed in the instrument, deed or will accompanying the donation or as provided by law or the articles or by-laws of such corporation, made pursuant thereto. Where no other provision is made with respect thereto, the directors or trustees of every such corporation shall be governed as to their duties, powers and responsibilities, by the general provisions of this act respecting such boards· and as to their trusteeship of property they shall be governed by the provisions of this act governing trustee corporations.

Section 450.175 Same: powers of board of directors or trustees.

The control of the business and secular affairs of every such educational corporation shall be vested in a board of directors or trustees. Such board shall also have exclusive control over the educational affairs and policy of such institution, and as such may:

First, Appoint, employ and pay the salary of a president, or principal, and such professors, tutors, assistants, and employees, as the board shall determine necessary;

Second, Direct and prescribe the course or courses of study and the rules of discipline for such institution, and enforce the same; and prescribe the tuition and other fees to be paid by students attending such institution;

Third, Grant such diplomas, certificates of graduation, or honors and degrees, as the nature of the institution may warrant, or as contemplated in the articles;

Fourth, Delegate to the president or principal, and the various professors and tutors, such authority over the educational affairs of the institution as the board may deem advisable;

Fifth, Co-operate with other schools, colleges and educational institutions within this country in promoting the best interests of education.

Section 450.176 Same; privileges of holders of diplomas, of certificates.

Every diploma, certificate of graduation, or other evidence of attendance at such institution, shall entitle the lawful recipient thereof to all the privileges and immunities which by custom or usage are allowed to holders of similar diplomas or certificates granted by similar institutions in this country: Provided, That as to any occupation or profession regulated by statute as to the requirements and qualifications necessary to the practice thereof, no such diploma or certificate of graduation shall entitle the recipient to any such privilege or immunity where such statutory requirements or qualifications have not been complied with.

Section 450.177 Same; inspection by State Board of Education; annual report.

Every such educational corporation shall be visited and inspected by the State Board of Education, in person or through visitors or inspectors appointed by them, at least once every 3 years. Said State Board of Education shall at the time of visitation ascertain and publish information upon all matters pertaining to the condition, management, instruction and practices of such corporations, and shall file a copy of their report with the Michigan corporation and securities commission. Upon evidence that the property is at any time less than is required by law, or that any such educational corporation is not otherwise complying with the provisions of this act, they shall serve notice on such corporation to remedy the defects within a reasonable time to be fixed in such notice, and in case the deficiency is not corrected within the time fixed by them, they may institute proceedings at law for the dissolution of such corporation. Such trustees shall be required, on or before the first day of December, annually, to report to the State Board of Education, a statement of the name of each trustee, officer, teacher and the number of students of such institution, with a statement of its property, the amount of stock subscribed, donated and bequeathed, and the amount actually paid in, and such other information as will tend to exhibit its condition and operations.

Outline of a Report to the State Board of Education
of a
Proposed Educational Corporation

The following outline includes a list of areas which should be thoroughly described in a report to the State Board of Education as a part of the requirements set forth by it in fulfillment of the provisions of Section 450.171 of the Michigan Compiled Laws of 1948. This outline should be submitted in 10 copies.

I. Housing Space and Administration Facilities (Existing and Proposed)
   A. Size and character of available and proposed buildings.
   B. Planned uses in terms of instructional and administrative programs.
   C. Assessment of acceptability toward requirements of state fire and health authorities (all buildings for school purposes, public and private, remodeled or reconstructed in the state of Michigan must meet the requirements set forth in Section 388.851 of the Compiled Laws of 1948).

II. Proposed Educational Programs
   A. Basic purposes of proposed institution (describe fully).
   B. Major curricula leading to the proposed educational objectives
      1. Diploma and/or certificate programs (courses, etc);
      2. degree programs (courses, etc.);
      3. other programs (include correspondence course offerings if to be provided).
   C. Conditions for accepting students (admission policies in proposed college and student acceptance policy in other types of proposed educational institutions)
      1. Beginning students
      2. Transfer students
   D. Student Personnel Service
      1. Scope of student counseling service;
      2. health services.
   E. Instructional Organization
      1. Teacher assignments including number of students per teacher and hours of instruction per week in lecture, shop, laboratory or demonstration, including typical daily and/or academic year schedule showing staff assignment
   F. Administrative Organization
      1. Supervisory policies
      2. Reporting policies

III. Laboratories, Libraries and other Teaching Facilities
   A. Size and nature of proposed laboratories -- initial and projected.
   B. Size and nature of proposed libraries -- initial and projected.

IV. Staff
   A. Qualifications of staff to carry out proposed assignments (degrees earned, major and minor fields of preparation, teaching experience, and other qualifications).
   B. Planned use for full time and part-time assignments.
   C. Salary, tenure, and conditions of appointment or selection.
   D. Nursery, elementary and secondary schools should submit photocopies for all teachers currently employed or contemplated to be employed and indicate grade level of assignment.

V. Proposed Financing (See attached form; complete and return with this outline)

Special Note

This report should be accompanied by appropriate exhibits such as the following as a means of providing a comprehensive representation of the total proposed institution:
   1. Admission, enrollment, and student contractural blanks (relating to pupils enrolled)
   2. By-laws and regulations of governing board
   3. Catalogs, brochures, bulletins, and publicity materials
   4. Class schedules (if any)
   5. Student or parent handbooks (if any)
   6. Other descriptive materials

STATE BOARD OF EDUCATION
LANSING, MICHIGAN

Financial report of_____
as of (date)_____located at_____
Address of Administrative Office_____

ASSETS

Real Property (*building and sites) $_____

_____
_____
_____
_____

Personal Property $_____

_____
_____
_____
_____

Annual (estimated) Tuition Income $_____

Average number of students per term, semester, or year_____
Tuition rates_____
_____

Amount of Endowment $_____

Anticipated amount of annuity earnings $_____
Endowment fund principal (include funds temporarily functioning as endowments) $_____
Private Gifts and Grants (Churches and other religious bodies) $_____
Miscellaneous income $_____

BUDGET FOR THE FISCAL YEAR_____

Proposed Expenditures for
Administration and general expense $_____

_____
_____
_____
_____

Resident Instruction (college, schools, and departments) $_____

*Use present values

_____
_____
_____
_____

Libraries $_____

Plant (Operation, maintenance and equipment) $_____
- New Buildings $_____
- Additions to existing buildings $_____
- Improvements other than building $_____
- New equipment $_____

Auxiliary enterprises and activities
- Residence and dining halls $_____
- Other auxiliary enterprises $_____

Report made by_____
NAME TITLE

Date of this report_____
INSTITUTION

AFFIDAVIT

State of Michigan
SS
County of_____

_____ _____, being duly sworn, deposed
and (Authorized representative of the Institution)
and says that he is the_____of_____
(TITLE) (INSTITUTION)
for which the foregoing report is made that the statements therein he believes to be true according to his best information and belief and that an exact copy of this report has been filed with the permanent record of the institution.

Subscribed and sworn to before me this_____day of_____, 196_.

_____, Notary Public. My commission expires_____

MISCELLANEOUS STATUTES

PRIVATE, DENOMINATIONAL AND PAROCHIAL SCHOOLS
Act 302, 1921, p. 560; Eff. Aug. 18.

AN ACT to provide for the supervision of private, denominational and parochial schools; to provide the manner of securing funds in payment of the expense of such supervision; to provide the qualifications of the teachers in such schools; and to provide for the endorsement of the provisions hereof.

The People of the State of Michigan enact:

388.551 Private, denominational and parochial schools; supervision; assistants; intent of act. (M.S.A. 15.1921)

Sec. 1. The superintendent of public instruction is hereby given supervision of all the private, denominational and parochial schools of this state in such matters and manner as is hereinafter provided. He shall employ such assistants and employes as may be necessary to comply with the provisions hereof and fix the compensation thereof; the number of assistants and employes and the compensation payable thereto being subject to the approval of the state administrative board. Such salaries and expenses shall be paid by the treasurer of the state of Michigan upon the warrant of the auditor general from the fund as herein designated, at such time and in such manner as other state officers and employes are paid. The superintendent of public instruction shall have the authority to remove any appointee under this act at any time that he may deem such removal advisable. It is the intent of this act that the sanitary conditions of such schools, the courses of study therein, and the qualifications of the teachers thereof shall be of the same standard as provided by the general school laws of the state.

HISTORY: CL 1929, 8151.

388.552 Same; definition. (M.S.A. 15.1922)

Sec. 2. A private, denominational or parochial school within the meaning of this act shall be any school other than a public school giving instruction to children below the age of 16 years, in the first 8 grades as provided for the public schools of the state, such school not being under the exclusive supervision and control of the officials having charge of the public schools of the state.

HISTORY: CL 1929, 8152.

388.553 Same; teachers, qualifications, examination. (M.S.A. 15.1923)

Sec. 3. No person shall teach or give instruction in any of the regular or elementary grade studies in any private, denominational or parochial school within this state who does not hold a certificate such as would qualify him or her to teach in like grades of the public schools of the state: Provided, however, That any person who shall have taught in any elementary school or schools of the

standard specified in this act for a period of 10 years or more preceding the passage of this act, shall, upon filing proof of service with the superintendent of public instruction, be entitled to a certificate by said superintendent of public instruction in such form as he shall prescribe, to teach in any of the said schools within the state: Provided further, That teaching in such schools shall be equivalent to teaching in the public schools for all purposes in obtaining a certificate: Provided further, That the teachers affected by this act may take any examination as now provided by law and that the superintendent of public instruction may direct such other examinations at such time and place as he may see fit. In all such examinations 2 sets of questions shall be prepared in subjects ordinarily written on Saturday, 1 of which sets shall be available for use on Wednesday by applicants who observe Saturday as their Sabbath: Provided further, That any certificate issued under or by virtue of this act shall be valid in any county in this state for the purpose of teaching in the schools operated under this act: Provided further, That any person holding a certificate issued by the authorities of any recognized or accredited normal school, college or university of this or other state shall be entitled to certification as now provided by law: Provided, however, That teachers employed in such private, denominational or parochial schools when this act takes effect shall have until September first, 1925, to obtain a legal certificate as herein provided.

HISTORY: CL 1929, 8153.

388.554 Violation of act; hearing, closing of school, compulsory attendance. (M.S.A. 15.1924)

Sec. 4. In event of any violation of this act the superintendent of public instruction shall serve the person, persons, corporation, association or other agencies who operate maintain and conduct a private, denominational or parochial school within the meaning of this act with a notice, time and place of hearing, such hearing to take place within 15 days after the date of said notice and at a place located in or conveniently near the county where such violation took place, accompanied by a copy of the complaint stating the substance of said violation: Provided, That no person shall be called to attend any such hearing on any day observed by him as the Sabbath. If at such hearing the superintendent of public instruction shall find that the violation complained of has been established he shall then serve said person, persons, corporation, association or other agencies with an order to comply with the requirements of this act found to have been violated within a reasonable time not to exceed 60 days from the date of such order: Provided, That in the event that such order refers to sanitary conditions that the said person, persons, corporation, association or other agencies shall have 6 months in which to remedy the defect. If the order of the superintendent of public instruction as specified in said notice shall not have been obeyed within the time specified herein said superintendent of public instruction may

close said school and prohibit the said person, persons, corporation, association or other agencies operating or maintaining such private, denominational or parochial school from maintaining said school or from exercising any of the functions hereunder until said order of the superintendent of public instruction has been complied with. The children attending a private, denominational or parochial school refusing to comply with the requirements hereof after proceedings herein set forth shall be compelled to attend the public schools or approved private, denominational or parochial school under the provisions of the compulsory education act, the same being Act No. 200 of the Public Acts of 1905, as amended. And it shall be the duty of the person or persons having charge of the enforcement of the said compulsory education act, upon notice from the superintendent of public instruction that said private, denominational or parochial school has not complied with the provisions hereof, to compel the attendance of the children of said school or schools at the public schools or approved private, denominational or parochial school.

HISTORY: CL 1929, 8154.

388.555 School investigation and examination; failure to permit, cause for suspension (M.S.A. 15.1925)

Sec. 5. The superintendent of public instruction by himself, his assistants, or any duly authorized agent, shall have authority at any time to investigate and examine into the conditions of any school operating under this act as to the matters hereinbefore set forth and it shall be the duty of such school to admit such superintendent, his assistants or authorized agents and to submit for examination its sanitary condition, the records of enrollment of pupils, its courses of studies as set forth in section 1 of this act and the qualifications of its teachers. Any refusal to comply with provisions herein on the part of such school or teacher shall be considered sufficient cause to suspend the operation of said school after proceedings taken as stated in section 4 of this act.

HISTORY: CL 1929, 8155.

Sec. 6. (This was an appropriation and tax clause section.)

HISTORY: CL 1929, 8156;--Rep. 1945, p. 412, Act 267, Imd. Eff. May 25.

EXCERPTS FROM MICHIGAN LAWS PERTAINING TO THE COURSE OF STUDY IN MICHIGAN SCHOOLS

Compiled by
Department of Public Instruction
May, 1960

English language (Act 269, P.A. 1955, as amended)

Sec. 360. All instruction from the first to the eighth grade, inclusive, of those subjects required for an eighth grade diploma, in all the schools of this state, public, private, parochial, or in connection with any state institution, shall be conducted in the English language; but this provision shall not be construed as applying to the high school course of any school district of this state maintaining a legal high school as defined in chapter 16 of part 2 of this act, nor to the high school course of any institution or corporation which maintains the same grades in its high school as are maintained in the legal high schools of this state; nor shall this provision be construed as prohibiting religious instruction in private or parochial schools given in any language in addition to the regular courses of study.

Constitutions (Act 269, P.A. 1955, as amended)

Sec. 361. In all public, private, parochial and denominational schools within the state of Michigan, there shall be given regular courses of instruction in the constitution of the United States, in the constitution of the state of Michigan, and in the history and present form of civil government of the United States, the state of Michigan, and the political subdivisions and municipalities of the state of Michigan.

Sec. 362. Such instruction in the constitution of the United States, the constitution of the state of Michigan, and in civil government, shall begin not later than the opening of the eighth grade, except in schools maintaining a junior high school, in which case it may begin in the ninth grade and continue in the high school course to an extent to be determined by the superintendent of public instruction.

Communicable diseases (Act 269, P.A. 1955, as amended)

Sec. 363. There shall be taught in every public school within this state the principal means by which each of the dangerous communicable diseases are spread and the best methods for the restriction and prevention of each such disease. Such instruction shall be given by the aid of textbooks on physiology supplemented by oral and blackboard instruction. No textbook on physiology shall be adopted for use in the public schools of this state unless it shall give at least 1/8 of its space to the causes and prevention of dangerous communicable diseases and the requirements for maintaining good health.

Physiology and hygiene (Act 269, P.A. 1955, as amended)

Sec. 364. In addition to the branches in which instruction is now required by law to be given in the public schools of the state, instruction shall be given in physiology and hygiene, with a special reference to the nature of alcohol and narcotics and their effect upon the human system. Such instruction shall be given by the aid of textbooks in the case of pupils who are able to read, and as thoroughly as in other studies pursued in the same school.

Humane treatment of animals, birds (Act 269, P.A. 1955, as amended)

Sec. 365. In every public school within this state, a portion of the time shall be devoted to teaching the pupils thereof kindness and justice to, and humane treatment and protection of, animals and birds, and the important part they fulfill in the economy of nature. It shall be optional with each teacher whether such teaching shall be through reading, stories, narrative of daily incidents or illustrations taken from personal experience. This instruction shall be a part of the curriculum of study in all the public schools of the state of Michigan.

Health and physical education (Act 269, P.A. 1955, as amended)

Sec. 781. There shall be established and provided in all public schools of this state, and in all state normal schools, health and physical education for pupils of both sexes, and every pupil attending such schools of this state so far as he or she is physically fit and capable of doing so shall take the course in physical education as herein provided.

Sec. 782. It shall be the duty of boards in all school districts having a population of more than 3000 to engage competent instructors of physical education and to provide the necessary place and equipment for instruction and training in health and physical education; and other boards may make such provision: Provided, that nothing in this chapter shall be construed or operate to authorize compulsory physical examination or compulsory medical treatment of school children. The board of any school district may provide for the teaching of health and physical education and kindred subjects in the public schools of the said districts by qualified instructors in the field of physical education: Provided, that any program of instruction in sex hygiene be supervised by a registered physician, a registered nurse, or a person holding a teacher's certificate qualifying such person as supervisor in this field: Provided, however, that it is not the intention or purpose of this act to give the right of instruction in birth control and it is hereby expressly prohibited to any person to offer or give any instruction in said subject of birth control or offer any advise or information with respect to said subject: Provided further, that any child upon the written request of parent or guardian shall be excused from attending classes in which the subject of sex hygiene or the symptoms of disease is under discussion, and no penalties as to credits or graduation shall result therefrom.

Civics (Act No. 205, Public Acts of 1931, as amended)

Sec. 1. In all Michigan high schools offering 12 grades of work, a 1 semester course of study of 5 recitation periods per week or equivalent thereof shall be given in civics, said course covering the form and functions of our federal and state governments and of county, city, township and village governments. Throughout the course the rights and responsibilities of citizens shall be stressed. No diploma shall be issued by any high school to any student unless such student shall have successfully completed said course: Provided, that such civics course shall not be a graduation requirement for any high school student who has enlisted or been inducted into military service.

Fire Drills (Act 207, Public Acts of 1941, as amended (Fire Prevention Act)

Sec. 19. It shall be the duty of the commissioner to require the superintendent, principal and teacher in all grades of public and private schools, and school housing dormitories to have a fire drill each month and to keep all doors and exits unlocked during school hours, and when the school is open to the public, and it shall be the duty of each teacher to comply with these requirements and to keep a record of such drills. A minimum of 10 drills is required for each school year. However, if weather conditions will not permit fire drills to be held at least once a month, then at least 6 fire drills shall be held in the fall of each year and 4 fire drills shall be held during the remaining part of the school year: Provided, that the commissioner or any officer serving under him, the chief of the fire department or any fireman in uniform acting under orders and directions of the fire chief, shall have the right to cause fire drills to be held in schoolhouses, school housing dormitories and such other public buildings as the commisioner shall deem advisable. Upon request, the commissioner shall furnish to any school, school housing dormitories, or other public building where fire drills are required, recommendations concerning the proper methods of conducting fire drills. The commissioner may order the installation of such other protective apparatus or equipment as shall conform to recognized and approved modern practices.

Driver Education Act No. 1, P.A. 1st Ex. Sess. 1955, as amended by Act 235, P.A. 1957 - amendment to Sec. 811, Motor Vehicle Act.)

Sec. 811 (c) From the moneys credited to the driver education and training fund, the sum of $30,000.00 shall be apportioned annually to the state superintendent of public instruction for state administration of the program. The remainder of the fund shall be distributed to local public school districts on the basis of $25.00 per qualified enrollment in driver education training courses conducted for children enrolled in the high school grades of public, parochial or private schools: Provided, that if the amount available in the driver education and training fund is insufficient to allow the maximum payment then payment to local public school districts shall be prorated on the basis of total membership in all driver education training classes conducted in the state. Such courses must be conducted by the local public school district, but enrollment shall be open to high school students who are enrolled in private or parochial schools in the public school district. Reimbursement to local school districts shall be made on the basis of an application made by the local school district superintendent to the state superintendent of public instruction.

(d) Driver education and training courses, as used for the purposes of this act, shall include classroom instruction plus behind the wheel instruction and observation in an automobile, and shall be under the supervision of a qualified teacher.

(e) The superintendent of public instruction is hereby authorized to determine rules and regulations, including instructional standards, teacher qualifications, reimbursement procedures, and other requirements which will further implement this legislation.

(f) Notwithstanding the provisions of sections 301, 303, 306, and 308, after the first day of February, 1957, no operator's license shall be issued to any person under 18 years of age unless such person shall have successfully passed a driver education course and examination given by the public schools or by some agency offering a course recognized by the department of public instruction as equivalent thereto.***